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27 November 1993

Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

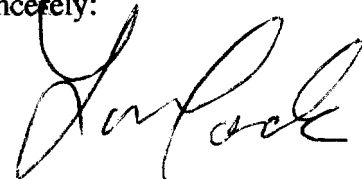
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MAIL BRANCH

Dear Sirs:

Enclosed is a petition submitted as a formal request for consideration as a rule change to Part 97, the Amateur Radio Service. I am available to answer any questions about the petition by calling 410-269-6387.

Sincerely:



Larry Jack, DDS

Petition for Rule Making

A petition for a modification of Federal Communications Commission Part 97 in the Amateur Radio Service

This petition requests the Commission to consider modifying the qualifications for an Amateur Extra Class operator license. It also asks the Commission to consider the creation of a new sub-category of privileges under this license, called in this petition Extra Class "Plus" privileges, and to make certain changes to the Volunteer Examination program.

Introduction

It is this petitioner's belief that the decreasing use of Morse code resulting from the exponential growth in new communications technologies makes the continuation of a high speed code performance test for an amateur radio license obsolete. However, Morse code as has been an historic part of amateur radio, and regardless of the reasons, the amateur radio community continues to embrace it as a licensing requirement.

At the same time, the Commission has begun to move away from the licensing requirements that stress the importance of Morse code. Two examples are the new Technician Class "no-code" license and the waiver of the higher speed code test requirements for handicapped applicants. There is an increasing emphasis placed on examining technical knowledge skills rather than testing manual performance abilities. The Commission has officially affirmed the success of these new licensees, especially the new Technician Class, showing that competent amateur radio operators can be licensed with minimal or no Morse code abilities.

It is not this petitioner's desire to argue 'code no-code' licensing, but rather have the Commission consider eliminating the 20- word per minute code requirement {element 1(C)} for the Extra Class license, incorporating the following changes into Part 97:

Rule change request in a narrative form

The request is for the creation of a New Extra Class license replacing the existing Extra Class license. This would be issued after passing all elements for the Advance Class license plus element 4(B). A second sub category, an Extra "Plus" category of privileges, would be earned after passing all the elements for the New Extra Class and element 1(C). This New Extra "Plus" category would not be issued a separate license but carry its authority in the form of a Certificate of Successful Completion of Examination (CSCE). All existing Extra Class licenses would be accorded the privileges of the new "Plus" category.

This New Extra Class license would have all privileges in all amateur bands except for the sub-bands of 3500-3525 Khz, 14000-14025 Khz and 21000-21025 Khz. The New Extra Class licensee as a Volunteer Examiner (VE) would also have all the privileges now accorded a VE of the now- existing Extra Class license, with the exception of being able to administer element 1(C) required for the New Extra "Plus" sub-category examinee.

How could this new licensing be accomplished?

Instead of being issued a separate license, the New Extra "Plus" Class license privileges would be conveyed in the same manner as the current Technician Class "Plus" license. That is, in the same manner as the Technician Class "Plus" license conveys its higher operating privileges as compared to the regular Technician Class ("no-code") license- by the possession of a Volunteer Examination Committee (VEC) issued Certificate of Successful Completion of Examination (CSCE) for element 1(A). All the same VEC mechanisms now in place to handle these two different classes of Technician licenses can easily be adapted to the New Extra Class licenses and the new "Plus" sub-category.

The 1(C) examination required for the Extra "Plus" sub-category would be administered by Volunteer Examiners also holding such certificates, or by those holding now-existing Extra Class licenses.

Applicants passing all elements for the Advance Class license plus 4(B) would be issued the New Extra Class license, in the same manner as this class license is now issued by the Commission. The New Extra Class "Plus" license would consist of the New Extra Class operator license, and the possession of a Volunteer Examination Committee issued CSCE for element 1(C).

Why should the Commission consider these changes?

Again the petitioner stresses the consideration of the decreasing importance of Morse code proficiency in modern radio communications. The petitioner's anecdotal observations of license up-grading, shows the 20- word per minute requirement for the existing Extra class license to be *the* significant reason most amateurs will stop with the Advanced class. Regardless of their levels of motivation, this 20 wpm speed is a sufficiently difficult examination of a performance skill to defeat and discourage many examinees. Few of these examinees will argue the necessity of the Extra class' advanced technical examination. But most see no need for the high code speed proficiency required for this license, especially as virtually no other radio service uses Morse code today.

It is the petitioner's belief that dropping this requirement will dramatically increase the number of Extra class licenses without effecting the quality of this amateur license. The FCC's 1993 Fall statistics place the number of Extra class licensee at less than 11 % of the amateur radio population, while over 18 % now hold the Advanced class license. It is the Petitioner's contention that most of these Advanced class licensees will attempt to up-grade their licenses to the Extra class once examination element 1(C) is removed, increasing this group's population considerably. This will increase the numbers of more technically proficient amateur operators who will now have an incentive to attain this highest class of license. It will also increase the potential pool of Volunteer Examiners able to administer examinations for the other higher classes of licenses.

The petitioner wishes to reaffirm that although the 20 wpm licensing requirement would be weakened in its over all importance to the Extra Class license, and amateur radio in general, it would not be eliminated. The Extra "Plus" sub-category would still have exclusive use of three popular bands of frequencies (3500-3525 Khz, 14000-14025 Khz, and 21000-21025 Khz) that have traditionally been reserved for this group and their high speed Morse code operations. Since high speed Morse code is almost exclusively used within these sub-bands today, enforcement problems would be minimal; anyone operating on those frequencies would usually be doing so using high speed Morse code- they would be actively demonstrating their abilities which earned them their CSCE for element 1(C).

Summary

The petitioner feels that the creation of a New Extra class license would be a "win-win" situation for both the radio amateur and the Commission. Four benefits of such a new license would be;

1. An incentive to attain a higher level of technical proficiency.
2. It would not upset those existing licensees that see the preservation of the high speed code as a necessary requirement to operate on certain sub-bands of frequencies.
3. It would provide a greater pool of potential Volunteer Examiners to administer the examinations for higher classes of licenses.
4. It would incur no additional financial expense to either the Commission or the VEC's.
5. It would provide a graceful vehicle to move the emphasis from examinations stressing Morse code performance to those stressing technical knowledge.

The actual proposed modifications to the existing Part 97

Change to 97.301(b)
from:

Wavelength band	ITU Region 1	Region 2	Region3
80 meters	3.50-3.75	3.50-3.75	3.50-3.75
20 meters	14.00-14.35	14.00-14.35	14.00-14.35
15 meters	21.00-21.45	21.00-21.45	21.00-21.45

to:

80 meters	3.525-3.75	3.525-3.75	3.525-3.75
20 meters	14.025-14.35	14.025-14.35	14.025-14.35
15 meters	21.025-21.45	21.025-21.45	21.025-21.45

The addition to 97.301 of this new sub paragraph:

(g): For a station having a control operator holding an Extra Class operators license plus a CSCE indicating that the person has passed element 1(C), or an Extra Class operator license issued before_____:

Wavelength band	ITU Region 1	Region 2	Region 3
80 meters	3.50-3.75	3.50-3.75	3.50-3.75
20 meters	14.00-14.35	14.00-14.35	14.00-14.35
15 meters	21.00-21.45	21.00-21.45	21.00-12.45

Changes to 97.501

from:

- (a) Amateur Extra Class operator: Elements 1(C), 2, 3(A), 4(A), and 4(B)

to:

- (a) Amateur Extra Class operator: Elements 1(B), 2, 3(A), 4(A), and 4(B)

Changes to 97.507

from:

- (a) Each telegraphy message and each written question set administered to an examinee must be prepared by a VE holding an FCC issued Amateur Extra Class operator license. A Telegraphy message or written question set, however, may also be prepared for the following elements by a VE holding an FCC-issued operator license of the Class indicated:

to:

- (a) Each telegraphy message for elements 1(A) and 1(B), and each written set administered to an examinee must be prepared by a VE holding an FCC issued Amateur Extra Class operator license. A telegraphy message or written question set, however may also be prepared for the following elements by a VE holding an FCC-issued operators license of the Class indicated:

and adding to 97.507:

- (3) Element 1(C): Extra Class operator plus a CSCE indicating that the person passed element 1(C), or an Extra Class operators license issued before_____.